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2
3 **BEFORE THE STATE OF WASHINGTON**
4 **ENERGY FACILITY SITE EVALUATION COUNCIL**

5 In the Matter of
6 Application No. 2003-01

7 SAGEBRUSH POWER PARTNERS, LLC.

8 KITTITAS VALLEY WIND POWER
9 PROJECT

Petition for Intervention
of F. Steven Lathrop

10
11 1.

12 F. Steven Lathrop, individually, respectfully files this Petition for Intervention in the
13 above-captioned proceeding as an interested party pursuant to RCW 34.05.443, RCW 80.50.090,
14 and WAC 463-30-400, and the Energy Facility Site Evaluation Council Notice of Intent to Hold
15 Adjudicative Proceeding.

16 2.

17 F. Steven Lathrop is a 45-plus-year-resident of Kittitas County, residing at 1572
18 Robinson Canyon Road, Ellensburg, Washington, and is a licensed attorney in practice for 26
19 years in Kittitas County. He is experienced in land use and property development, is very
20 familiar with the project area and resides within approximately 5 miles of portions of the
21 proposed project, most of which will be visible from his property. He and his family own
22 agricultural property within the county and will be directly affected by the Council's decision
23 whether to approve, deny, condition the proposed wind power project.

24 3.

25 F. Steven Lathrop is familiar with Chapter 80.50 RCW and Chapter 463-30 WAC and
26 with the adjudicative process and responsibilities that intervener status will require. He is an

PETITION FOR INTERVENTION
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1 experienced land use litigator and can fully assume the role of an active participant in these
2 proceedings. He is also a concerned citizen who has actively participated in the formulation of
3 county land use policies, including the recently adopted county codes concerning wind power
4 projects within Kittitas County. He is well known within the community and well informed
5 about the process and impacts and attitudes of this project on Kittitas County generally, and such
6 experience will assist the Council in evaluating the project.

7 4.

8 F. Steven Lathrop, and his family, have a direct substantial interest which is not
9 adequately represented or protected by existing parties, including Counsel for the Environment.
10 The proposed wind power project is primarily located within the view of his residence, thereby
11 directly impacting its value and the value of his surrounding property. The Counsel for the
12 Environment's interests are, by design, general in nature and the position is filled by an Assistant
13 Attorney General located in Olympia with no apparent contacts or knowledge of Kittitas County,
14 Central Washington agricultural interests, local property values, local concerns and attitudes, or
15 the potential impacts of this type of project upon this area. Mr. Lathrop's ability to protect his
16 interests relating to the subject matter of this hearing would be impaired or impeded absent
17 intervention in this case. He believes that he is in a position to present a unique and important
18 perspective to the direct benefit of the Council in its proceedings and that his input would be
19 valuable to the Council in a thorough assessment and review of the proposed project, including,
20 but not limited to, the formulation of appropriate findings of fact and conclusions supporting the
21 Council's ultimate decision.

22 5.

23 F. Steven Lathrop desires to be heard in these proceedings and to be afforded the right to
24 participate herein to the full extent authorized under the Council rules, including, but not limited
25 to, the right to have notice of and appear at any and all hearings or proceedings, to produce
26 evidence, call witnesses, and cross-examine witnesses, to be heard through counsel if so desired,
through written and oral argument, to be served henceforth with copies of all pleadings,

1 applications, and notices and for such other participation and relief as may be appropriate.
2 Absent the opportunity to proceed as a party in this matter, the interests of F. Steven Lathrop
3 would be seriously impaired and impeded.

4 Neither delay nor disruption of these proceedings nor prejudice to the petitioner would
5 result from F. Steven Lathrop becoming a party to this proceeding.

6 6.

7 Any correspondence with regard to this proceeding should be addressed to:

8 F. Steven Lathrop
9 Lathrop, Winbauer, Harrel, Slothower & Denison, LLP
10 1572 Robinson Canyon Road
11 P. O. Box 1088
12 Ellensburg WA 98926
13 FAX: 509-925-3861
14 email: steve@lwbsd.com

15 Wherefore, F. Steven Lathrop respectfully requests that he be permitted to intervene in
16 the above-entitled proceedings and be made a party thereto.

17 Dated this 12th day of June, 2003

18 Respectfully submitted,

19 _____
20 F. Steven Lathrop

21 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE
22 OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

23 Signed at Ellensburg, Washington on this ____ day of June, 2003.

24 _____
25 F. Steven Lathrop

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3 **I hereby certify that I have this day served the**
4 **foregoing document upon all parties of record in**
5 **this proceeding, by authorized method of service**
6 **pursuant to WAC 463-30-120-(2)(a).**

7 **Dated at Ellensburg this _____ day of June, 2003.**
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